United Nations S/2003/58

Security Council

Distr.: General
17 January 2003
English
Original: Arabic

**Letter dated 16 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 14 January 2003 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq, concerning the violations of the demilitarized zone that were committed by United States and British warplanes in the period from 7 December 2002 to 3 January 2003 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed S. **Ali**
Chargé d'affaires a.i.

03-21630 (E) 280103 280103

## Annex to the letter dated 16 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

Further to our letter of 14 December 2002 (S/2002/1377, annex), I should like to inform you that in the period from 7 December 2002 to 3 January 2003 United States and British warplanes flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) committed 1,031 hostile violations of our international boundaries. As shown in the enclosed table, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries from Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, comprised 1,031 armed sorties in Basra, Nasiriyah, Maysan, Diwaniyah, Najaf, Karbala', Wasit and Muthanna governorates.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as American F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the United States and British aircraft that carried out armed and hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

4. Between 7 December 2002 and 3 January 2003, a total of 18 remotely piloted aircraft violated Iraq's airspace from United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone.

5. The United States and British aircraft flying out of Kuwait during the aforementioned period bombarded Iraqi towns and villages and civilian and military installations, causing the death of four citizens, the wounding of 16 others and damage to religious and service installations and civilian facilities.

The daily violations of the sovereignty of the Republic of Iraq being committed by United States and British military aircraft flying from bases in Kuwait or from its airspace and the crimes of aerial bombardment of Iraqi citizens and Iraqi military and civilian installations in Iraqi towns and villages being perpetrated by them, together with the joint military exercises conducted by United States and Kuwaiti forces, with the participation of more than 60 American tanks, in the demilitarized zone between Iraq and Kuwait, are tantamount to an undeclared war. The United Nations must therefore take in their regard the measures that are required under the Charter and the Security Council resolutions relating to the situation between Iraq and Kuwait, all of which stress respect for Iraq's sovereignty, political independence and territorial integrity, in order to halt the aggression and ensure that those committing it are made to bear international responsibility for their actions.

All of the hostile military flights were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is

to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that are available to the United Nations and that the Secretariat should make available to UNIKOM so that it can fulfil the requirements of its mandate and establish the identity and nationality of the warplanes that are violating Iraq's sovereign airspace and then take deterrent measures against the aggressors.

We hope that the United Nations Secretariat will provide UNIKOM with systems capable of detecting all of the violations and identifying their source so that it can notify the Security Council in order that the Council may take the necessary measures to halt these infringements forthwith.

I urge you once more to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and type of United States and British warplanes that violate the demilitarized zone, contravene the Security Council resolutions establishing the zone and commit aggression against Iraq, given that this constitutes State terrorism and wanton aggression against Iraq and against its people, its sovereignty and its territorial integrity, as well as against United Nations peacekeeping operations. I also hope that you will alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators are held fully accountable for it in accordance with international law, the Charter of the United Nations and the Security Council resolutions relating to Iraq.

I further urge you to intervene with Kuwait and urge it to respect the demilitarized zone, honour its commitments under the Security Council resolutions establishing the zone and calling upon all States to respect Iraq's sovereignty, independence and territorial integrity, and to halt its participation in this barbaric aggression that violates Iraq's territorial integrity, destroys the property of Iraqis and has already caused thousands of casualties among Iraqi citizens. Because of its participation in this aggression, Kuwait has international responsibilities under the Charter of the United Nations.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

## Enclosure

### Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 7 December 2002-3 January 2003

| Date | From | Time | Type | Armed sorties | Altitude (metres) | Speed (km/h) | Areas overflown |
|---|---|---|---|---|---|---|---|
| 7 December 2002-3 January 2003 | Kuwait | 0630-0030 | F-14, F-15, F-16, F-18, drone | 1,031, and 18 drones | 8,500-11,500 | 180-780 | Basra, Nasiriyah, Amarah, Diwaniyah, Najaf, Ramzrah, Karbala', Jalibah, Kut, Nukhayb, Numaniyah, Aziziyah, Muthanna |